

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CURTIS LYNN WATSON, #1583599	§	
VS.	§	CIVIL ACTION NO. 6:13cv3
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be dismissed as time-barred. The Petitioner has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Petitioner to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Petitioner are without merit. It is specifically noted that the Petitioner argued in his objections that he should be entitled to equitable tolling, but he did not show that he had pursued his rights diligently or that extraordinary circumstances prevented timely filing in order to be entitled to equitable tolling. *Holland v. Florida*, 130 S.Ct. 2549, 2562 (2010). His explanation that he lacks a college education and legal training does not suffice. *See Tate v. Parker*, 439 Fed. Appx. 375, 376 (5th Cir. 2011). Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly


ORDERED that the Report and Recommendation (docket entry #8) is **ADOPTED**. It is further

ORDERED that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is further

ORDERED that all motions not previously ruled on are hereby **DENIED**.

It is **SO ORDERED**.

SIGNED this 28th day of January, 2013.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE